



## **CASE REPORT**

1. Complaint reference number	29/10
2. Advertiser	Commonwealth Bank Australia
3. Product	Finance/investment
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Nationality – section 2.1
6. Date of determination	Wednesday, 10 February 2010
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement depicts a presentation to Bank Executives by some American consultants. It starts with the American consultant saying, "OK well if a customer is unhappy with the bank's service ...". The consultant suggests they get their customers to write their concern on a ball and shoot it into a hoop. The Bank Executive says, "Guys, customer service is a serious matter, it is everything." The child of one of the Executives says "Dad, if someone is not happy, couldn't we just promise to fix what is wrong?" The Executive says, like a customer service promise? The consultant says "come on people, suggest a box!" The female executive says, "I think we will go with the kid's idea."

## **THE COMPLAINT**

A sample of comments which the complainant/s made regarding this advertisement included the following:

*I would like to register a complaint about a Commonwealth Bank advertisement which is currently being aired on commercial television. The advertisement depicts two American advertising men pitching an idea to bank executives. The idea is obviously absurd and the bank executives reject it, instead endorsing an idea put forward by a small boy attending the meeting. I add that this is the latest in a series of advertisements by the Commonwealth Bank which are variations on the scenario I have described. My complaint centres on the advertising men being cast as Americans. The characters are caricatures, their behaviour is gauche and by the nature of their proposals they are depicted as stupid and totally inept. In comparison the Australian bank executives are depicted realistically, honest, straight forward and smart. I consider this as racial stereotyping playing on a false concept that Americans are loud, insensitive, and purveyors of flashy culturally insensitive ideas. I believe this to be fully intended by the advertisers because this is and advertisement for an Australian bank, broadcast on Australian television, supposedly depicting a scene in a Commonwealth Bank meeting room. Why therefore aren't the clownish ad men Australians? Why if the ad men are Americans aren't they black Americans? After the recent controversy concerning a blackface sketch on a variety show I can imagine the response. I think this Commonwealth Bank advertisement is an example of the use of negative racial stereotyping as a lazy substitute for imagination and ontrary to the theme of this series of objectionable advertisements the clueless admen are more likely to be Australians.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*The advertisement this complaint refers to is one of the executions in our advertising campaign which features a fictional Advertising Agency who make ludicrous recommendations to a fictional Commonwealth Bank Marketing Team. The concept is based on this fictional agency presenting*

*absurd ideas to the fictional Marketing Team, who reject the ideas in favour of simple, sensible solutions. The absurdity of the agency's suggestions is intended to be humorous in nature, and contrasts with the Bank's sensible approach.*

*The execution in question advertises our customer service promise. It features the fictional American Advertising Agency in a meeting room with the fictional Commonwealth Bank Marketing Team. The fictional agency presents their suggestion for providing good customer service, which is to ask customers to write comments on a basketball and put it through the "SuggestDunk Box" hoop. This is intended to be comical, because the suggestion is so absurd. It demonstrates that the fictional agency does not understand the Bank or its customers.*

*The complaint in question sits under section 2.1 of the Code of Ethics, which states that advertising must not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief. The advertisement was in no way intended to discriminate against Americans. It plays on the fact that the fictional agency does not understand the Bank and its desire to offer the very best service to our customers.*

*Please note that it was not our intention to portray Americans as loud or insensitive, or to offend in any way. Indeed, the campaign, including this advertisement, was created by our (real) advertising agency, Goodby Silverstein & Partners, an American advertising agency.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concern that the advertisement was racially stereotyping American's and depicted them as unintelligent and considered the application of Section 2.1 of the Code, relating to discrimination or vilification on the basis of nationality.

The Board noted the advertiser response that the intention of the advertisement is to communicate the advertiser is "determined to be different".

The Board considered the advertisement was a light-hearted depiction of an advertising agency missing the mark with its client's marketing goals. The Board considered the portrayal of the American advertising team was not intended to ridicule or demean Americans in general and that most members of the community would recognise the intended humour and not consider the advertisement to be offensive. The Board therefore found no breach of Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.